

CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

REMARKS

Applicants reserve the right to prosecute the subject matter of the non-elected claims in one or more divisional applications should it prove necessary to do so.

Regarding the traversal, the Examiner says Groups I and II lack the same or corresponding special technical features because the analytical platform is described by Watt et al., US 6,610,495. In support, the Examiner points to Watt at column 28, lines 7-26, remarking “the solid support is not disclosed as being porous, and thus the skilled artisan reading the disclosure would understand that it is implicit that the solid support is nonporous.” Applicants respectfully submit that the Examiner’s position is untenable. There is no mention in Watt at column 28, lines 7-26, of a support, nonporous or porous. Even if there were mention of a support, the failure to mention the support as being porous would not lead one of ordinary skill in the art to infer that the support is nonporous any more than Watt’s simultaneous failure to mention the support as being nonporous would not lead one of ordinary skill in the art to infer that the support is porous. Watt’s silence on porosity leads to no conclusion one way or the other. Consequently, the Examiner has not supported the lack of a special technical feature and the restriction requirement should be reconsidered and withdrawn.

Early and favorable action is earnestly solicited.

Respectfully submitted,

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